

**Draft Summary of the Environmental Work Group Meeting  
Oroville Facilities Relicensing (FERC Project No. 2100)  
August 21, 2002**

The Department of Water Resources (DWR) hosted a meeting for the Environmental Work Group on August 21, 2002 in Oroville.

A summary of the discussion, decisions made, and action items is provided below. This summary is not intended to be a transcript, analysis of the meeting, or to indicate agreement or disagreement with any of the items summarized, except where expressly stated. The intent is to present a summary for interested parties who could not attend the meeting. The following are attachments to this summary:

Attachment 1	Meeting Agenda
Attachment 2	Meeting Attendees
Attachment 3	Flip Chart Notes
Attachment 4	SP-F9 Evaluation of the Feather River Hatchery Effects on Naturally Spawning Salmonids
Attachment 5	SP-F16 Evaluation of Project Effects on Instream Flows and Fish Habitat Phase 2 Study Plan

### **Introduction**

Attendees were welcomed to the Environmental Work Group meeting. Attendees introduced themselves and their affiliations. The desired outcomes of the meeting were discussed as listed on the meeting agenda. The meeting agenda and list of meeting attendees are appended to this summary as Attachments 1 and 2, respectively. Meeting flip chart notes are included as Attachment 3.

### **Action Items – July 24, 2002 Environmental Work Group Meeting**

A summary of the July 24, 2002 Environmental Work Group meeting is posted on the relicensing web site. The Facilitator reviewed the status of action items from that meeting as follows:

**Action Item #E54:** Report back to Environmental Work Group on resolution of F2-F15 coordination issue

**Status:** Steve Ford reported that coordination between the two study plans would be ongoing and the potential for transmission of fish diseases resulting from fish passage would be discussed under F2 with information transferred to F15 as appropriate.

**Action Item #55:** Hold technical input meetings to discuss SP-F16 and provide recommendations at August Environmental Work Group meeting to gain consensus approval by end of August.

**Status:** Results of the technical input meetings is on the agenda today (see discussion below).

### **Update on Plenary Group Actions**

The Facilitator updated the participants on Plenary Group actions taken during their recent conference call meeting held on August 20, 2002 that centered around assessing heartburn issues on Study Plan F9, Hatchery Impacts. Eric Theiss with National Marine Fisheries Service (NMFS) indicated he was pleased with the progress in SP-F9 but continues to have some heartburn on technical issues that he will raise at the Environmental Work Group meeting. Mike Mainz with California Department of Fish and Game (CDFG) also expressed some heartburn and indicated he

would discuss his issues and seek resolution of his heartburn at the Environmental Work Group. The Plenary Group referred SP-F9 to the Environmental Work Group for resolution of the issues raised. The Plenary Group agreed to conditionally approve SP-F9, pending approval by the Environmental Work Group. The Plenary Group approved for implementation Study Plans SP-F5/7, SP-F21, SP-F15, and SP-W2.

### **Study Plan Review**

Three study plans were scheduled for review or update during the August Environmental Work Group meeting: SP-W2, SP-F9, and SP-F16, Phase 2.

#### *SP-W2 – update*

Jerry Boles, DWR explained that the protocol for fish tissue collection under W2 does not include the whole fish body but rather sampling from fillets. This poses a concern to agency staff due to the potential impact to wildlife that ingests the entire potentially contaminated fish. Jerry suggested that if we find contamination in the fillet studies, the global language included in the study plan would allow a shift to collecting and testing entire fish bodies. Eric Theiss agreed that the global language should cover their concerns.

Jerry provided the participants with an update on the collection activities to date. He reported that the field staff was having difficulty collecting all of the target species from all of the sampling locations. For example, some locations have water too cold to support catfish and the field staff has been unsuccessful in their attempts to catch catfish from those locations. The participants discussed the difficulty of catching every species at every location identified and Eric See observed that the creel surveys support the field staff experience and are an excellent indicator of what people are catching where. Ken Kules with Metropolitan Water District asked if the end result of contaminant findings would be the issuance of a public health warning against eating a particular fish from a particular location or would be more global in nature. Jerry responded that he was just beginning the dialogue with the state health office responsible for issuing such warnings and would follow up with them once lab results were available. Sharon Stohrer with State Water Resources Control Board offered that the list of desired fish species for sampling included in the study plan should be viewed as a guideline, with the understanding that sometimes all of the species may not be available for testing. The goal should be to sample as many species on the list as possible and make sure to include fish at various levels of the food chain, including top predators and bottom feeders, to make sure all potential contributors of contaminants to the biota are represented.

One participant asked about the apparent urgency of the study and if two years of data was necessary. Sharon Stohrer offered that when the study plan was developed it was unclear what backlog might exist at the labs and since results of these early samples would be used to identify which of the sediment samples would be evaluated, the participants felt it was prudent to begin sampling and testing immediately. Jerry Boles suggested that a small focus group would be helpful in evaluating the early lab results and reporting back to the Environmental Work Group with a recommendation for further analysis or adjustments to sampling activities. The participants agreed that a small group consisting of representatives from DWR (Jerry Boles and Eric See), NMFS, USFWS and SWRCB could meet and report back to the Environmental Work Group at their September meeting.

#### *SP-F9*

Eric Theiss asked about the protocol for study plan revisions and indicated he was having some trouble tracking changes to the documents. Steve Ford with DWR responded that the Environmental Work Group documents show all revisions made since the last work group distribution. Wayne Dyok added that interim revisions made during the task force meetings were

not specifically identified in the Work Group documents but all changes agreed to and made during the task force meetings were included in redline/strikeout along with any other changes made by DWR in response to changes agreed upon during the task force meetings. The revised SP-F9 is provided as Attachment 4 to this summary.

The Environmental Work Group discussed general comments and agreed to several changes in the study plan to clarify definitions and objectives. In response to Mike Mainz's request, the Work Group reviewed the study objectives to ensure that each objective was covered by appropriate tasks.

The participants reviewed the study plan section by section and revisions were made during the Work Group meeting. Randy Brown with DWR will insert additional information and citations as requested by the Environmental Work Group. Eric Theiss indicated he was not happy with the study plan timing and suggested that all tasks need to be completed before the schedule indicated in the study plan. Steve Ford responded that some of the information coming from other studies is dependent on the timing of those studies for which DWR has no control. The participants discussed the difficulty in collecting adequate genetic information as well as other information to meet the needs expressed by NMFS and the potential use of statistics to guide data collection in general.

Eric Theiss expressed his frustration with what he views as the disregard by DWR for the study needs he described in both a letter to DWR and subsequent numerous technical input sessions between DWR and NMFS. Wayne Dyok with the consulting team explained that DWR, with FERC staff help, had tried very hard to understand the basis for the information requested by NMFS and to revise SP-F9 to address the issues contained in the NMFS letter to DWR and discussed during the technical input sessions. Steve Ford added that when compared to efforts on other relicensing with hatcheries under review, including a review of the Cowlitz Project hatchery study as suggested by FERC, DWR feels they have done quite a bit more than others to evaluate the impacts from the mitigation aspect of the Feather River Hatchery on naturally spawning salmonids. He indicated that it would be difficult to compromise further without losing support of the other members of the collaborative that support the current study plan.

Mike Melanson with Metropolitan Water District expressed his support for the current study plan and suggested that DWR had done an excellent job at addressing the issues relevant to relicensing. Sharon Stohrer offered her opinion that DWR has gone above and beyond other relicensings in the development of their study plans and in agreeing to conduct studies not normally undertaken during a relicensing and that she is fine with the study plan as written. CDFG also voiced their approval of SP-F9 with the revisions discussed during this meeting. The Facilitator asked if any other participants of the Environmental Work Group had issues to discuss and there were none. The participants agreed to approve SP-F9 with revisions agreed to at this meeting. Eric Theiss responded that he did not feel DWR had compromised and were not doing as much as they could so he could not approve the study plan. He added that he would be reporting this position to his superiors and initiating the conflict dispute resolution process as outlined in the Collaborative Process Protocols.

#### *SP-F16 – Update on Phase 2*

Steve Ford gave a brief update of SP-F16 and efforts undertaken by Tom Payne as described at the last Environmental Work Group meeting. Tom Payne described the efforts of the technical input team on Phase 2 of SP-F16 (see Attachment 5), including a field trip to confirm initial indications of additional work necessary. He explained the efforts currently underway to acquire the necessary permits for flow augmentations and transect analysis and described the additional transect placements and the flexibility they would provide during analyses. Tom went on to discuss the specific flow changes that would occur as releases were manipulated over a specific

time frame. Participants asked about public notification and Steve Ford responded that public announcements would be released to warn anglers and others along the river of anticipated changes to water surface elevation and the timing of releases. Mike Melanson asked about the lost power revenue expected from the water releases and Wayne Dyok responded he expected it would be on the order of \$40,000.

### **Cumulative Issues Discussion**

Due to the length of time for the discussion of Study Plan F9, the cumulative issues discussion was deferred to the September 25 Environmental Work Group meeting.

### **Study Plan Implementation Status**

Due to the length of time for the discussion of Study Plan F9, the Study Plan Implementation Status Report was deferred to the September 25 Environmental Work Group meeting.

### **Next Steps / Meetings**

The Environmental Work Group agreed to meet on:

Date: Wednesday, September 25, 2002

Time: 9:30 a.m. – 3:30 p.m.

Location: Kelly Ridge Golf Course Meeting Room

### **Action Item**

The following action item identified by the Environmental Work Group includes a description of the action, the participant responsible for the action, and due date.

**Action Item #E56:** Convene a small, focus group meeting to re –evaluate sampling for W2 and report back to full Environmental Work Group

**Responsible:** Group to include DWR, NMFS, USFWS, SWRCB

**Due Date:** September 25, 2002